

action had yet been taken by the Government in the matter. He pointed out that the absence of a uniform system of marriage and inheritance among the Ezhavas of the State had very deleterious effects on the peaceful progress of the community as a whole. Three systems of inheritance obtained in the community at present. A few who formed the minority followed the *Makkathayam* system of inheritance; others followed the *Marumakkathayam* system and a third set followed a system of inheritance which partook of the nature of both *Makkathayam* and *Marumakkathayam*. The Member's representations related to the *Marumakkathayees* alone. Amongst them, the marriage tie was considered sufficiently sacred and strong; but the condition of absolute 'rightlessness' of an Ezhava wife in regard to the self-acquisition of an Ezhava husband was deplorable. The Member said that the community felt the injustice and iniquity of the system and referred to the wholesome effect of the Nair Regulation on the Nair community. He therefore requested that, so far as the *Marumakkathayees* were concerned, a system of inheritance similar to that already followed by a section of the Ezhavas, *viz.*, the combination of both the *Marumakkathayam* and *Makkathayam* systems, might be introduced by a legislative enactment, or that a competent Committee be appointed to enquire into the matter with a view to the introduction of the above enactment, or that the Nair Regulation itself might be made applicable to the *Marumakkathayee* Ezhavas with such modifications as the needs and conditions of that community might require.

Dewan.—Will the community be satisfied with a law on the lines of the Nair Regulation?

Member.—It will, I think, satisfy the majority, though there may be some differences of opinion on the part of a small minority.

Dewan's reply.—Noted.

25. Tea thefts.

Mr. Mackenzie (Member, Central Travancore Planters' Association) said that the theft of tea from the Peermade District had assumed most serious proportions during the past four years and that the planters felt bound to ask Government for help and the better protection of that produce. Tea was at first stolen from chests at the Kottayam landing and from carts in transit; but latterly factories had been broken into and either loose tea or packed cases were removed. The latest trouble was that cartmen accepted delivery of tea chests under an assumed name and never delivered them to the proper agents at Kottayam. He complained that the local police took little or no interest in the cases reported to them and that, out of the many cases reported, only three or four had ended in conviction. He pointed out that tea was not sold locally at all from the estates and that, therefore, the contention of the police that the tea often sold in the local markets was the tea sold to the local merchants by the planters was absolutely untenable. He believed that the police could do much more than they did to stop the thefts by keeping a stricter watch on the local trade in tea. During the past four years, the planters had lost about 1,00,000 lbs. of tea valued at about Rs. 50,000. He suggested that the Government should pass some Regulation, such as the one which referred to the illicit sale of arrack, whereby the burden of proof should rest with the retail merchants of tea and that a smart Commissioner be deputed to enquire into and report on the theft and reselling of tea in Peermade.

Dewan's reply.—If the figures given by you are correct, you have a legitimate grievance. But there appears to be no law either in British India or Ceylon dealing specially with tea thefts, in the same way as coffee thefts or rubber thefts, to serve as a model or basis. The matter will, however, be enquired into. A report will also be called for from the Commissioner of Police about the apathy of the police complained of.

26. Agricultural Loans Regulation—the defects in its workability and suggestions for remedying the same.

Mr. G. Sankaranarayana Iyer (Member, T. I. C., Shencotta) said that, as he understood that the Additional Head Sirkar Vakil was soon to take up the question of the amendments required in the Agricultural Loans Regulation

he would confine his remarks to the general lines on which the law should be modified so as to make it workable. In his opinion, the chief defect was in the agency now made responsible for working the Regulation *viz.*, the Revenue Department. With their multifarious duties, the Tahsildars had little or no time to devote to applications for loans. The Agricultural Department would take greater interest in the matter and the work should therefore be entrusted to that department. It should be ruled that applications for loans should be made to the Tahsildar in triplicate. That officer should forward one copy to the Director of Agriculture and one copy to the local P. W. D. Sub-Divisional Officer, and retain the remaining copy in his office. The Director should report about the nature of the proposed works, the effects of the improvements and the advisability of granting the loan. The P. W. Officer should prepare and forward to the Tahsildar an estimate of cost of the works proposed to be done. On receipt of both those reports and in the light of his own independent enquiries, the Tahsildar should submit his report to the Peishkar. After obtaining sanction to the loan, the works should be entrusted to the applicant, as if he were a contractor, and a small percentage of the loan should be at once given to him as an advance, the balance being paid only on completion of the works.

The Member next suggested that the rate of interest on the loans should be reduced from 4 to 3 per cent.

He also proposed that the Peishkars and the Government should be competent to grant loans not exceeding Rs. 1,000 and Rs. 20,000 respectively.

Lastly, the Member observed that the rule requiring that the securities offered should be free of *all* encumbrances should be relaxed and that the only precaution necessary was to see that the loan granted was well within the value of the property or other security less the encumbrances thereon. He added that the rigidity of the present rule was mainly responsible for the unworkability of the Regulation.

Dewan's reply.—The Additional Head Sirkar Vakil will be asked to take up the Agricultural Loans Regulation for amendment at an early date.

27. The necessity for amending the Nair Regulation in respect of partition and Makkathayam.

Mr. K. Govinda Pillai (Member, Thiruvalla taluk) requested that the Nair Regulation should be so modified as to make provision for individual partition and Makkathayam. He was for introducing the Makkathayam system of the Brahmins, with the exception of the rigidity, relating to marriage, widowhood, &c. Though the original Bill had provided for partition, it was regrettable that that chapter had to be thrown out on account of the weight of objection of the non-official majority. He thought that the non-official members did not in any way represent the opinion of the community as a whole and that the answers given by the several witnesses before the Commission would be a better guide. The Member said that no lengthy arguments were necessary to prove that the Marumakkathayam system was quite unsound and could not stand much longer. Under it there could be no responsibility or individual credit. The system, as it were, coerced affection against nature. The absence of many traders among the Marumakkathayees, the numerous cases of alienation of properties by them, the endless litigation, the comparatively slow progress of education among them, the utter absence of credit, the absence of any feeling of responsibility, the existence of a number of unmarried girls in the community, were, the Member said, but a few of the evils incidental to the system. He therefore prayed that the Regulation might be suitably modified at an early date.

Dewan's reply.—Noted.

28. Age of consent.—the desirability of amending Section 375 of the Penal Code so as to raise the age of the consent to 14.

Mr. K. A. Krishna Aiyangar B. A., B. L., (Member, T. I. C., Alleppey) said that Section 375 of the Travancore Penal Code generally penalised co-habitatio